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Attorney Docket No. 262.PC2
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Delaney et al.

Serial No.: 10/678,454

Group No.: 1632

Filed: October 1, 2003

Examiner: unassigned

For: HBV MUTATIONS ASSOCIATED WITH REDUCED SUSCEPTIBILITY TO
ADEFOVIR

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT WITHIN
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FIRST OFFICE ACTION (37 CFR 1.97 (b))**

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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING
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The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 CFR 1.97 (b).

Reg. No. 31,796

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INFORMATION DISCLOSURE STATEMENT (modified)

List of Sections Forming Part of This Information Disclosure Statement.

The following sections are being submitted for this Information Disclosure Statement:

1. ☒ Preliminary Statements
2. ☒ FORM PTO - 1449 (Modified)
3. ☒ Copies of Listed Information Items Accompanying This Statement

Section 1. Preliminary statements

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 CFR 1.97 (g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

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Date: October 21, 2004

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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (37 CFR 1.98(b))	ATTY DOCKET NO.: 262.PC2 SERIAL NO.: 10/678,454
	APPLICANT: Delaney et al
	FILING DATE: 10/1/03 GROUP ART UNIT: 1632

**U.S. PATENT DOCUMENTS**

Examiner initials	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Class/ Subclass	Filing Date

FOREIGN PATENT DOCUMENTS

Examiner initials	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Class/ Subclass	Translation Yes/No
	WO 03/087351	10-23-2003	Melbourne Health, Austin & Repatriation Medical		

OTHER DOCUMENTS

Examiner initials	Article
	Angus et al., "Resistance to adefovir dipivoxil therapy associated with the selection of a novel mutation in the HBV polymerase", 125(2):292-297, GASTROENTEROLOGY, 2003
	Bartholomeusz et al., "Molecular modelling and functional studies of adefovir resistant mutations in the Hepatitis B virus polymerase selected during therapy", 38(4):273A, HEPATOLOGY, Oct 2003
	Delaney et al., "Resistance of Hepatitis B virus to antiviral drugs: current aspects and directions for future investigation", 12(1):1-35, ANTIVIRAL CHEM & CHEMO, 2001
	EMBL Database Online, "Hepatitis B virus DNA polymerase variant-27", Accession No. AAY71376, EMBL, 1/10/00
	EMBL Database Online, "Polymerase", Accession No. Q7THQ4, EMBL, 1/10/00
	EMBL Database Online, "Type I Mutant Polymerase", Accession No. Q918N7, EMBL, 12/1/01
	EMBL Database Online, "Type I Mutant Polymerase", Accession No. Q918N8, EMBL, 12/1/01
	EMBL Database Online, "Mutant polymerase", Accession No. QPIN37, EMBL, 1/10/00
	Hussain et al., "Mutations in the Hepatitis B virus polymerase gene associated with antiviral treatment of Hepatitis B", 6(3):183-194, Journal of Viral Hepatitis, Blackwell, Oxford, GB, May 1999
	Yang et al., "Complete genotypic and phenotypic analysis of HBV mutations identified in HBeAg-negative chronic Hepatitis B patients receiving 96 weeks of adefovir dipivoxil (ADV)", 38(4)(1):705A, HEPATOLOGY, Oct 2003

EXAMINER	DATE CONSIDERED
EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

Section 3. Copies of Listed Information Items Accompanying This Statement

Legible copies of all items listed in Form PTO-1449 accompany this information statement.

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